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08/913,811

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GAU 1645

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Application Number

PTO/SB/21 (08-00) Approved for use through 10/31/02. OMB 0651-0031

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Filing Date September 24, 1997 **FORM** First Named Inventor Hirokazu SUGIHARA **Group Art Unit** 1645 P. Basker **Examiner Name** (to be used for all correspondence after initial filing) Total Number Of Pages In This Submission 356972020100 Attorney Docket No. 9 REFS. **ENCLOSURES** (check all that apply) Assignment Papers After Allowance Communication to Fee Transmittal Form (for an Application) Group Appeal Communication to Board of Fee Attached Drawing(s) Appeals and Interferences Appeal Communication to Group Amendment / Reply Licensing-related Papers (Appeal Notice, Brief, Reply Brief) After Final Petition **Proprietary Information** Petition to Convert to a Status Letter Affidavits/declarations Provisional Application Power of Attorney, Revocation Other Enclosure(s) (please identify **Extension of Time Request** Change of Correspondence Address below): 1. Copy of Japanese Office Action dated Terminal Disclaimer Septemer 3, 2002 - 2 pages 2. Form PTO-1449 - 1 page + duplicate **Express Abandonment Request** copy Request for Refund 3. Nine (9) references 4. Return receipt postcard Information Disclosure Statement X CD, Number of CD(s) (Supplemental) - 3 pages Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY OR AGENT Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018 Firm E. Thomas Wheelock (Reg. No. 28,825) Individual Name Signature October <u>4</u>, 2002 Date

to: Assistant Commissioner for Patents, Washington, D.C. 20231, on Octoberl 2, 2002.

Kimbuly A. Banjamin

Kimberly A. Benjamin

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



PATENT Docket No. 356972020100

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In the application of:

Hirokazu SUGIHARA et al.

Serial No.: 08/913,811

Filing Date: September 24, 1997

For: METHOD FOR MEASURING

> PHYSICOCHEMICAL PROPERTIES OF TISSUES OR CELLS, METHOD FOR EXAMINING CHEMICALS, AND

APPARATUS THEREOF

Examiner: P. Baskar

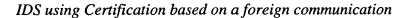
Group Art Unit: 1645

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 AND § 1.98

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.



The documents listed on the attached Form PTO-1449 were cited in a Japanese Office Action issued on September 3, 2002 (copy attached) directed to a counterpart foreign application.

This Information Disclosure Statement is submitted: With the application; accordingly, no fee or separate requirements are required. Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. \boxtimes After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance. A fee is required. A check in the amount of is enclosed. \Box A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate. 冈 A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due. After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee. П A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of is enclosed. A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.

Certificate of Prompt Filing under 37 C.F.R. § 1.97(e)(1)

I hereby certify that each item of information was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

This Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to <u>Deposit Account No. 03-1952</u> referencing <u>356972020100</u>. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 16, 2002

Respectfully submitted,

Bv:

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